

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q96699

Takayoshi KAWAGUCHI, et al.

Appln. No.: 10/591,252

Group Art Unit: 1618

Confirmation No.: 4352

Examiner: Dameron Levest JONES

Filed: August 31, 2006

For: COMPOSITION FOR MEDICAL USE HAVING IMPROVED WATER-SOLUBILITY
OF PEPTIDE AND METAL-LABELING EFFICIENCY AND PREPARATION FOR
MEDICAL USE COMPRISING METAL-LABELED PEPTIDE

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement, dated December 8, 2009.

In response to the Restriction Requirement, Applicant elects Group I, Claims 1-19, for examination. This election is made without traverse.

In response to the requirement to elect a single disclosed species of Formula I, Applicants elect Peptide 1, without traverse. Peptide 1 is formyl-Nle-Leu-Phe-Nle-Tyr-Lys(NH₂)-ε(-Ser-D-Arg-Asp-Cys-Asp-Asp), as shown at page 25, lines 2 to 3 of the present specification. Claims 1-19 are readable on the elected species.

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The Examiner also requests that Applicants identify Z, Y, X, R, T and U of the elected species in Formula I, Z-Y-Leu-Phe-(X)_n-Lys(NH₂)_m-ε(-(R)O-(T)₁-U). Accordingly, Applicants identify Z, Y, X, R, T and U of the elected species as follows:

Z = formyl,

Y = Nle,

X = Nle-Tyr,

R = Ser,

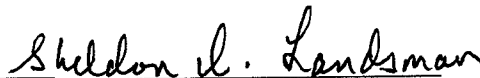
T = Arg-Asp, and

U = Cys-Asp-Asp.

Applicant reserves the right to file a Divisional Application directed to non-elected claims 20-28.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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